

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 OSCAR ART STANLEY,

4 Plaintiff,

5 v.

6 STATE OF NEVADA, et al.,

7 Defendants.

Case No.: 2:22-cv-01130-APG-BNW

**Order Accepting Report and  
Recommendation and Dismissing Case**

[ECF No. 3]

8 On August 18, 2022, Magistrate Judge Weksler recommended that I dismiss plaintiff  
9 Oscar Stanley's complaint with prejudice because the defendants are immune from suit and the  
10 complaint "necessarily implies the invalidity of [Stanley's] conviction or sentence," which is  
11 barred by *Heck v. Humphrey*, 512 U.S. 477 (1994). ECF No. 3 at 3. Stanley filed an objection.  
12 ECF No. 5.

13 I have conducted a de novo review of the issues in Judge Weksler's recommendation, as  
14 required by Local Rule IB 3-2. Stanley's objection does not rebut Judge Weksler's findings or  
15 conclusions that the defendants are immune from suit and that the claims are barred by *Heck*.  
16 Judge Weksler's Report and Recommendation sets forth the proper legal analysis and factual  
17 basis for the decision, and I accept and adopt it as my own.

18 I THEREFORE ORDER that the Report and Recommendation (**ECF No. 3**) is **accepted**  
19 and this case is **DISMISSED** with prejudice. The clerk of the court shall enter Judgment  
20 accordingly.

21 DATED THIS 3rd day of November, 2022.

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23   
UNITED STATES DISTRICT JUDGE